

Remarks

Reconsideration of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

This Amendment has been made to put this application in condition for immediate allowance. No new issues have been raised in this Amendment which would require a further search. Entry of this Amendment is respectfully requested.

Authorization is hereby given to charge any deficiency in fees in connection with this Amendment to our Deposit Account No. 11-0600.

Claims 1, 3, 5-9, 11-13, 15, 16, 19-21, 23-34 were pending prior to this Amendment.

Claims 32-34 were withdrawn from consideration.

Claims 1, 23 and 31 have been amended to more particularly point out and distinguish applicants' invention. Support for the amendment of claims 1 and 23, may be found in the specification as filed *inter alia* at page 7, lines 15-18, in Table 1 at page 12; and in Table 2 at page 14. Support for the amendment of claim 31, may be found in the specification as filed *inter alia* at page 7, lines 15-18; page 9, lines 4-11; in Table 4 at page 21; and in Table 2 at page 14.

Claims 1, 3, 5-9, 11-13, 15, 16, 19-21, and 23-31 are presently pending for the consideration of the Primary Examiner.

In summary, applicants' claims have been amended to better comply with 35 U.S.C. §112.

In view of the preceding, it is respectfully submitted that the subject application is now in condition for allowance. A Notice of Allowance is earnestly solicited. If Primary Examiner has any questions or wishes to discuss this matter further, he is kindly asked to call the undersigned attorney.

Respectfully submitted,

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PATENT APPLICATION FEE DETERMINATION RECORD

Effective January 1, 2003

Application or Docket Number

08/928893

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	24 minus 20 =	* 4
INDEPENDENT CLAIMS	3 minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	\$375
X\$ 9=	
X42=	
+140=	
TOTAL	

RATE	FEE
BASIC FEE	\$750
X\$18=	72.00
X84=	
+280=	
TOTAL	72.00

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**
	Independent	*	Minus	***
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**
	Independent	*	Minus	***
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**
	Independent	*	Minus	***
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 1996

Application or Docket Number

928893

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE		
TOTAL CLAIMS	19	minus 20 = *
INDEPENDENT CLAIMS	1	minus 3 = *
MULTIPLE DEPENDENT CLAIM PRESENT		

RATE	FEE
	385.00
x\$11=	
x40=	
+130=	
TOTAL	

RATE	FEE
	770.00
x\$22=	
x80=	
+260=	260
TOTAL	1030

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE	ADDITIONAL FEE
x\$11=	
x40=	
+130=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
x\$22=	
x80=	
+260=	
TOTAL ADDIT. FEE	

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	* 18	Minus	** 20	= 0
Independent	* 1	Minus	*** 3	= 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE	ADDITIONAL FEE
x\$11=	
x40=	
+130=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
x\$22=	
x80=	
+260=	
TOTAL ADDIT. FEE	

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	* 27	Minus	** 20	= 7
Independent	* 2	Minus	*** 3	= 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE	ADDITIONAL FEE
x\$11=	
x40=	
+130=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
x\$22=	18
x80=	26
+260=	
TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: <u>1-6-94</u>		2 Serial/Patent # <u>07/910155</u>	
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3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
Filing	1	14 Jan 1994	\$ 120
Amendment			\$
Extension of Time			\$
Notice of Appeal/Appeal			\$
Petition			\$
Issue			\$
Cert of Correction/Terminal Disc.			\$
Maintenance			\$
Assignment			\$
Other			\$
		7 TOTAL AMOUNT OF REFUND	\$ 120
10 REASON: <input checked="" type="checkbox"/> Overpayment <input type="checkbox"/> Duplicate Payment <input type="checkbox"/> No Fee Due (Explanation): <u>EP did the search</u>		8 TO BE REFUNDED BY:	
		Treasury Check	
		Credit Deposit A/C #: <div style="border: 1px solid black; padding: 2px; display: inline-block;"> 11 -- 0600 </div>	
11 REFUND REQUESTED BY: <u>P. Krewell</u> TYPED/PRINTED NAME: <u>Cathy Short</u> TITLE: <u>Supervisor</u> SIGNATURE: <u>P. Krewell for C. Short</u> PHONE: <u>3053165</u> OFFICE: <u>PC1</u> ***** THIS SPACE RESERVED FOR FINANCE USE ONLY: APPROVED: <u>Jay Hunt</u> DATE: <u>1/27/94</u>			

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B

BAR CODE LABEL



U.S. PATENT APPLICATION

SERIAL NUMBER

07/910,133

FILING DATE

07/14/93

CLASS

435

GROUP ART UNIT

1808

APPLICANT

HEIKKI HEIKKILA, ESPOO, FINLAND; GORAN HYOKY, KANTVIK, FINLAND; LEENA RAHKILA, ESPOO, FINLAND; MARJA-LEENA SARKKI, KANTVIK, FINLAND; TAPIO VILJAVA, KIRKKONUMMI, FINLAND.

CONTINUING DATA***
VERIFIED

FOREIGN/PCT APPLICATIONS***

VERIFIED	PCT	PCT/FI91/00011	01/10/91
	FINLAND	900220	01/15/90

STATE OR
COUNTRY

FIX

SHEETS
DRAWING

1

TOTAL
CLAIMS

14

INDEPENDENT
CLAIMS

1

FILING FEE
RECEIVED

\$1,140.00

ATTORNEY DOCKET NO.

85940/11

ADDRESS

KENNETH E. MADSEN
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NEW YORK NY 10004

TITLE

PROCESS FOR THE SIMULTANEOUS PRODUCTION OF XYLITOL AND ETHANOL

This is to certify that annexed hereto is a true copy from the records of the United States Patent and Trademark Office of the application which is identified above.

By authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS

Date

Certifying Officer

08 Rec'd PCT/PTO

07 1991 FEB

PATENT COOPERATION TREATY

INTERNATIONAL APPLICATION NO. PCT/FI91/00011

NOTIFICATION TO THE DESIGNATED
OFFICE OF RECEIPT OF
RECORD COPY
issued under PCT Rule 24.2(a)

To:

United States Patent
and Trademark Office
Washington, D.C.

in its capacity as a designated Office

DATE OF MAILING OF
THIS NOTIFICATION:
28 January 1991 (28.01.91)

From:

The International Bureau of WIPO
1211 Geneva 20
Switzerland

NAME(S) OF APPLICANT(S):

HEIKKILÄ, Heikki et al.

INTERNATIONAL FILING DATE:

10 January 1991 (10.01.91)

PRIORITY DATE(S) CLAIMED:

15 January 1990 (15.01.90)

DATE OF RECEIPT OF RECORD COPY BY INTERNATIONAL BUREAU:

28 January 1991 (28.01.91)

D. Barmes
(Authorized Officer)

PATENT COOPERATION TREATY

NOTIFICATION OF ELECTION
issued pursuant to PCT
Rule 61.2

INTERNATIONAL APPLICATION NO. PCT/FI91/00011

To:

United States Patent
and Trademark Office
Washington, D.C.

in its capacity as an elected Office

DATE OF MAILING OF
THIS NOTIFICATION:
31 July 1991 (31.07.91)

From:
The International Bureau of WIPO
1211 Geneva 20
Switzerland

APPLICANT (NAME):

HEIKKILÄ, Heikki et al.

INTERNATIONAL FILING DATE:

10 January 1991 (10.01.91)

PRIORITY DATE CLAIMED:

15 January 1990 (15.01.90)

The said election was made in the demand received by the International Preliminary
Examining Authority on:

05 June 1991 (05.06.91)

M.C. Taylor
(Authorized Officer)

11 Rec'd PCT/PTL 05 MAY 1992
PATENT COOPERATION TREATY

TO:

United States Patent
and Trademark Office
Washington, D.C.

FROM:

the INTERNATIONAL BUREAU of the
WORLD INTELLECTUAL PROPERTY
ORGANIZATION

NOTIFICATION CONCERNING
DOCUMENTS TRANSMITTED

Issued pursuant to PCT
Article 36(3)(a)

(as elected Office)

Date of Mailing:

24 April 1992 (24.04.92)

NOTIFICATION

The International Bureau transmits herewith the following documents
and number thereof:

1 (number of) copy(s) of the international preliminary
examination report (Article 36(3)(a)).

This notification is sent to the above addressee in its capacity as
an elected Office.

THE INTERNATIONAL BUREAU OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

Mailing Address:

WIPO
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Authorised Officer:

M. Abidine



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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07/810,130 07/14/90 HET/KILP

R 85940/11

EXAMINER

NAFF ID

12R2/0516

ART UNIT

PAPER NUMBER

KENNETH E. MADSEN
KENYON & KENYON
ONE BROADWAY
NEW YORK, NY 10004

1809

DATE MAILED:
09/16/96

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 6/24/96 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1, 3-13, 15, 16, 19 + 20 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☒ Claims 2, 14, 17 + 18 have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☒ Claims 1, 3-13, 15, 16, 19 + 20 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ This application has been filed with Informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).

12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION